

## INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

	Applic	ant requests consideration of \( \sum \) the references listed on the attached Form PTO-
1449 a	nd/or 🛭	the additional information identified below in paragraph 3.
	$\boxtimes$	Pursuant to CFR §1.98(a)(2)(i), copies of the cited U.S. patents and/or U.S. patent
•		application publications are not enclosed.  A copy of each non-U.S. patent and/or non-U.S. patent application publication
		reference listed on the Form PTO-1449 is enclosed.
		The non-U.S. patent and/or non-U.S. patent application publication references listed on the Form PTO-1449 were previously cited in application serial no.
		to which the captioned application is seeking priority under 35
		U.S.C. §120; therefore, a copy of each reference is not enclosed.
1.	This In	formation Disclosure Statement is submitted:

	_					_		
T1-:-	Informa	4: T	<b>``</b> 1		Ctatama		a - 1	44~4.
Inte	intorma	mon i	ncci	OCHTP.	Nigiem	ent ic	SHOME	nea.
11113	minorina			Courc		O111 10	DUCILLA	ttou.

continued prosecution application under § 1.53(d); within 3 months of the date of entry of the national stage as set forth in 1.491 in an International application; before the mailing date of a first Office Action on the merits; or	Inis in	iiormati	ion Disciosure Statement is submitted:
within 3 months of the date of entry of the national stage as set forth in 1.491 in an International application; before the mailing date of a first Office Action on the merits; or before the mailing of a first Office Action after the filing of a request for	a.		within 3 months of the filing date of a national application other than a continued prosecution application under $\delta$ 1.53(d):
before the mailing of a first Office Action after the filing of a request for			within 3 months of the date of entry of the national stage as set forth in §
			before the mailing of a first Office Action after the filing of a request for

09/22/2006 RFEKADU1 00000003 501505

	b.	<b>M</b>	after the events of above paragraph 1a and prior to the mailing date of a final Office Action or Notice of Allowance, and thus:   the certification of paragraph 2 below is provided, or a fee of \$180.00 is enclosed.
	C.		after the mailing date of a final Office Action or a Notice of Allowance and prior to payment of the issue fee, and thus: the certification of paragraph 2 below is provided and a fee of \$180.00 is enclosed.
2.	It is he	reby ce	rtified:
		was ci	ach item of information contained in this Information Disclosure Statement ted in a communication from a foreign patent office in a counterpart foreign ation not more than three months prior to the filing of the Statement, or
		was ci applica makin	ted in a communication from a foreign patent office in a counterpart foreign ation or, to the knowledge of the person signing the certification after g reasonable inquiry, was known to any individual designated in § 1.56 (c) han three months prior to the filing of the Statement.
3.			deration of the following additional information (including any co-pending and oned U.S. applications, prior uses and/or sales, etc.) is requested:
4.	For ea	ch non-	English language reference listed on the attached Form PTO-1449:
		refere	nce is made to an English language translation submitted herewith, and/or
			nce is made to a foreign patent office search report (in the English language) tted herewith, and/or
			nce is made to an English language translation of a foreign patent office report submitted herewith, and/or
			nce is made to the concise explanation contained in the specification of the application at page(s), and/or
		refere	nce is made to the concise explanation set forth below:
5.		Applio	cant also offers the following comments for the Examiner's consideration:
6.		Also e	enclosed is a copy of a foreign search report citing these references.
7.		payme	isted documents were brought to the attention of the Applicant(s) after ent of the issue fee in the captioned case. The documents were cited in a unication from a foreign patent office in a counterpart foreign application

not more than three months prior to the filing of this Information Disclosure Statement. Applicant(s) request this Information Disclosure Statement and attached Form PTO-1449 be placed in the file of the captioned application.

8. Applicant(s) requests that the Information Disclosure Statement and attached Form PTO-1449 and references, which are being filed before the grant of the patent and pursuant to 37 C.F.R. § 1.97(i), be placed in the file of the captioned application.

If any required fees are missing, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 50-1505/5760-16300.

Respectfully submitted,

B. Noël Kivlin Reg. No. 33,929

Attorney for Applicant(s)

Meyertons, Hood, Kivlin, Kowert & Goetzel P.O. Box 398 Austin, Texas 78767-0398 (512) 853-8800

Date: September 18, 2006

SEP 2 1 2006

Page 1 of 1

## Form PTO-1449 (modified) Moral

List of Patents and Publications For Applicant's Information Disclosure Statement

ÁTTY. DKT. NO. 5760-16300

SERIAL NO. 10/723,704

APPLICANT: Borthakur, et al

**GROUP: 2164** 

Disclosure Statement (Use several sheets if necessary)			FILING DATE: November 26, 2003							
		U		DOCUMENTS						
EXAM. INITIALS	REF. DES.	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE			
· · · · · · · · · · · · · · · · · · ·	B1	6240401	05-2001	Oren et al						
	B2	2001/0025311	09-2001	Arai et al						
	В3	2003/0172368	09-2003	Alumbaugh et al						
	В4	2002/0099952	07-2002	Lambert, et al		-				
4										
•										
		FC	DREIGN PATI	ENT DOCUMENTS						
EXAM. INITIALS	REF. DES.	DOCUMENT NUMBER	DATE	COUNTRY	CLAS S	SUB CLASS	TRANSLATI ON YES/NO			
	<b>4</b>	OTHER ART (In	cluding Autho	r, Title, Date, Pertinent Pag	es, Etc.)					
	A2	U.S. Patent Application Se	erial No. 10/723	,729 filed November 26, 2003	3.					
A3 Gifford, et al, "Semantic File Systems", Proceedings of the 13 <sup>th</sup> ACM Symposium on Operating States Principles, October 1991, Pacific Grove, CA.										
	A4	Yeh, et al, "Using Program and User Information to Improve File Prediction Performance," Proceedings of the International Symposium on Performance Analysis of Systems and Software (ISPASS '01), pp. 111-119, November 2001, IEEE, Tucson, AZ.								

EX	ΑM	IN	ER	
----	----	----	----	--

## DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the patent owner.